

**Notice of Allowability**

Application No.

09/994,852

Applicant(s)

NAWATA, HIZURU

Examiner

Tu X Nguyen

Art Unit

2684

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 9/29/04.
2.  The allowed claim(s) is/are 1,2,5-15,18 and 19.
3.  The drawings filed on 28 November 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION*****Allowable Subject Matter***

1. Claims 1-2, 5-15 and 18-19, are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claim 1, the prior arts fail to teach "wherein the switching control means switches the program which is loaded into and used by the digital signal processing means from the operation program to the default program when reception synchronization between VSAT cannot be established" as cited in the claim.

Regarding independent claim 5, the prior arts fail to teach "wherein the version comparison means regularly conducts the version comparison between calls with other VSATS by referring to version data which included in demodulated data which is obtained by demodulating signals transmitted from the HUB station" as cited in the claim.

Regarding independent claim 7, the prior arts fail to teach "wherein the operation program download means downloads the operation program from the HUB station via a CSC (Common Signaling Channel) outbound channel between the HUB station and the VSAT" as cited in the claim.

Regarding independent claim 11, the prior arts fail to teach "wherein the nonvolatile memory and the rewritable memory are provided to the VSAT for the exclusive use of the digital signal processing means" as cited in the claim.

Regarding independent claim 14, the prior arts fail to teach “further comprising a second switching control step in which the program which is loaded into and used by the digital signal processing means is switched from the operation program to the default program when reception synchronization between VSATS can not be established” as cited in the claim.

Regarding independent claim 18, the prior arts fail to teach “wherein the version comparison step is regularly conducted between calls with other VSATS by referring to version data which is included in demodulated data which is obtained by demodulating signals transmitted from the HUB station” as cited in the claim.

Regarding independent claim 19, the prior arts fail to teach “wherein in the operation program download step: the download of the operation program is executed via a CSC (Common Signaling Channel) outbound channel between the HUB station and the VSAT” as cited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 703-305-3427. The examiner can normally be reached on Monday through Friday from 8:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (703) 308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TN  
December 16, 2004

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER